

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
5:16-CR-47-H-1

UNITED STATES OF AMERICA

v.

REGINALD ALEXANDER STUBBS,

Defendant.

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ORDER

On 18 July 2016, the court held a hearing to determine defendant's competency under 18 U.S.C. § 4241. *See* D.E. 28. At the close of the hearing, defendant renewed a request he had previously made for appointment of another psychological or psychiatric examiner to evaluate him. On 22 July 2016, the court issued an order (D.E. 33 at 2) allowing defendant's request, and on 3 August 2016, appointed Manish A. Fozdar, M.D. to conduct the evaluation (*see* D.E. 37). Dr. Fozdar's report on the evaluation (D.E. 41-1) was filed on 26 September 2016. This case is therefore now ripe for continuation of the competency hearing.

IT IS ACCORDINGLY ORDERED as follows:

1. As soon as practicable, but no later than 11 October 2016, counsel shall file a joint notice proposing at least three dates occurring as soon as possible on which counsel and any witnesses they propose to call at the continued hearing, which will be held in the courthouse in Raleigh, can be available.

2. Each party shall file on the same date on which the joint notice is filed a memorandum providing the following information:

a. a statement as to whether or not the party contests defendant's competency;

b. the name and address of any witness the party may call at the continued hearing and the anticipated topics of the witness's testimony;

c. a list of any exhibits the party intends to offer at the continued hearing;
and

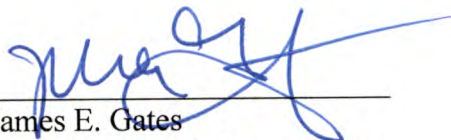
d. such other matters relating to the continued hearing the party wishes to bring to the court's attention.

3. If at the conclusion of the continued hearing, defendant is found to be competent, the court will proceed immediately with his initial appearance.

4. Defendant shall remain at the Piedmont Regional Jail pending further order of the court.

5. The Clerk is DIRECTED to transmit a copy of this order to the appropriate official at the Piedmont Regional Jail.

SO ORDERED, this 4th day of October 2016.


James E. Gates
United States Magistrate Judge